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IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATIONS No.2732 & 2733 of 2004

For Approval and Signature:

HON'BLE MR.JUSTICE JAYANT PATEL

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

CHAMPAKLAL SHIVLAL

Versus

PRAGATI CO. OP. BANK LTD.

Appearance:

1. Special Civil Application No. 2732 of 2004

MR PK JANI for Petitioner No. 1-8

MS ARCHANA U AMIN for Respondent No. 1

CORAM : HON'BLE MR.JUSTICE JAYANT PATEL

Date of decision: 27/07/2004

COMMON ORAL JUDGEMENT

Mr.Vakharia, learned Sr. Counsel appearing with Ms.Amin states that the respondent Bank has decided to

withdraw the notice issued under "The Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002" which is impugned in this petition.

In view of the above, the challenge made by the petitioners to that effect would not survive. The petitioners have also challenged the legality and validity of the award passed by the learned Nominee in favour of the Bank.

Mr.Jani appearing with Ms.Vashi states that petitioner be permitted to withdraw the petition with a view to prefer appeal before Tribunal. Permission granted. Disposed of accordingly. Rule discharged.

27-7-2004 (Jayant Patel, J.)

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